

**U.S. Department of the Interior
Bureau of Reclamation
Albuquerque Area Office
Albuquerque, New Mexico**

FINDING OF NO SIGNIFICANT IMPACT

Drain Unit 7 Extension River Maintenance Priority Site

Manager, Environment Division

Date

Area Manager, Albuquerque, New Mexico

Date

FONSI Number: AAO-09-001

BACKGROUND

The Drain Unit 7 Extension River Maintenance Priority Site (Project) is located 500 feet upstream of San Acacia Dam, on the right bankline of the Rio Grande. The approximate River Mile is 116.3. The river is actively eroding a spoil levee embankment that protects the Drain Unit 7 Extension irrigation structure, operated by the Middle Rio Grande Conservancy District (MRGCD). The Drain Unit 7 Extension structure serves as both a drain and canal, conveying irrigation drain water to the Socorro Main Canal for downstream irrigation needs. If the river is allowed to continue erosion of the levee, the drain prism could be destroyed, and the roadway on the levee lost, which is used to access parts of the Sevilleta National Wildlife Refuge.

Erosion has been a persistent problem in recent years on approximately 350 feet of the levee that protects the drain from the river. This portion of the levee is adjacent to the active river channel. Recent bankline erosion and bend migration upstream of the site indicate that bend migration may soon begin at the site, which will expose more of the levee to active erosion. The majority of the recent bend migration upstream of the site occurred during high flows brought on by monsoon season rainstorm events during July and August of 2006.

SUMMARY OF THE PROPOSED ACTION

The Federal action addressed in this Environmental Assessment (EA) is the protection of the Drain Unit 7 Extension spoil levee with riprap. The project area is surrounded by a region of rural farming and ranching. Farming activities such as plowing and tilling, and ranching activities such as livestock grazing, often eliminate or reduce vegetation, even if only temporarily, and thus become a potential cause of sediment loading in the river during periods of high runoff.

The purpose of this project is to prevent erosion of the existing spoil levee. The need is protection of the facility against erosion.

ENVIRONMENTAL IMPACTS RELATED TO THE RESOURCES OF CONCERN

The effects of the proposed action and reasons for a Finding of No Significant Impacts are addressed in detail in the EA and summarized below:

Water Resources - The purpose of this project is to prevent erosion of the existing spoil levee, but some components of the project could also contribute to soil erosion in the area, at least initially. Excavation of riprap toe trench in river channel. This excavation could result in a brief increase in sediment loading to the river. Nearly all of this cleared area will be covered with riprap, which will prevent future erosion, but there may be a small strip of area beyond the riprap footprint that is cleared and disturbed. It is anticipated that this area will quickly become reestablished with vegetation.

Biological Resources - Initial consultation with the Service resulted in a list of federally protected species, candidate species and species of concern that are known to occur in Socorro County. Two federally protected species were identified that could potentially occur in the project area, the Southwestern Willow Flycatcher, and the Rio Grande Silvery Minnow

(minnow). No known or potentially present state-listed protected species were identified in consultation with the NMDG&F (2004), and the NMRPTC (1999).

Because minnows occur in the vicinity, we have determined that the proposed action may affect and is likely to adversely affect the minnow. Since minnows could be incidentally harmed during construction activities, Reclamation has requested an Incidental Take Statement from the Service. The construction activities would occur in an area that has been designated critical habitat for the minnow, and in the long-term the Project may potentially have beneficial effects. Therefore, we have determined that the proposed action may affect, but is not likely to adversely affect minnow critical habitat.

Extensive surveys were performed during summer 2008 for flycatchers in the vicinity of the proposed project area and adjacent areas, so any suitable and newly-occupied habitat would be known. These surveys detected one pair and three unpaired, territorial birds approximately 1,000 feet upstream of the project area. Due to the presence of these birds and the possibility of their return to the same location, this information will be used to coordinate maintenance activities to avoid working in the area during the breeding season and to avoid affecting habitat at any time of year. Therefore, in considering the distance from the areas where the birds were resident in summer 2008, and the fact that no birds will be present when the work is done, Reclamation has determined that the proposed action would have no effects on the Southwestern Willow Flycatcher (flycatcher). We have also determined that the proposed action will have no effect on designated critical habitat for the willow flycatcher.

Cultural Resources - There are no known sacred sites or traditional cultural properties in the project area. The Proposed Action is expected to have no effects on cultural resources. No concerns or traditional cultural properties were identified by the parties consulted.

Indian Trust Assets - No Indian Trust Assets (ITAs) have been identified in the Project area. There are no reservations or ceded lands present. Because ITAs are not present, no impacts are anticipated.

Environmental Justice - Implementing the Proposed Action would not result in any disproportionate impacts on minority or low-income communities, so there would be no environmental justice impacts.

ENVIRONMENTAL COMMITMENTS

The environmental commitments to minimize potential adverse effects listed in detail in Chapter 4 of the EA will be implemented during construction activities and as part of the post construction site restoration activities. All applicable permits have been obtained or will be obtained prior to implementation of each phase of the project. These permits may include, but are not limited to:

- Clean Water Act, Section 404, Nationwide Permit 27
- Clean Water Act, Section 401, State Water Quality Certification
- National Pollutant Discharge Elimination System permit
- Storm Water Pollution Prevention Plan.

Environmental Commitments include:

1. **Species Monitoring.** Reclamation will continue to conduct annual flycatcher surveys following established protocol and will conduct fish community surveys annually.
2. **Construction BMPs.** Reclamation will incorporate best management practices, for example cleaning all equipment before entering the channel, into its construction work to minimize environmental disturbance.
3. **Water for dust abatement** will be pumped from the drain, if needed.
4. **Replanting to improve habitat of disturbed areas:** Staging Area No. 4 was cleared of vegetation previously to accommodate subsurface drilling for project designs (Categorical Exclusion Checklist ALB-CE-08-017). Prior to clearing, this area was predominantly salt cedar, with sparse cottonwoods and coyote willow. After completion of the Phase I construction, a portion of this area, beyond the future projected bankline, will be planted with native species.
5. **Bankline Plantings:** After the riprap is placed along the bankline of the active channel, river bed sediment and bankline materials (obtained from excavation required for riprap placement) will be placed in the voids of the upper 5 feet of riprap. Vegetation will be planted in the soil zone of the riprap. The vegetation will be monitored, and watered if needed, until it has become established.
6. **Fuel Spill Protection:** Equipment will be fueled on existing roadways or staging areas with gravel pads and in a manner such that spilled fuel will not reach the river. Any spilled fuel will be removed with absorbent pads. There will be no storage of fuel at the site.
7. **Coordination and consultation with the Service** will be done as needed.

COORDINATION

The following individuals and organizations were consulted in preparing this environmental assessment and in developing the proposed action.

MRGCD:

Ray Gomez
David Gensler

Sevilleta NWR:

Terry Tadano (former refuge manager)
Renee Robichaud
Dennis Prichard (acting refuge manager)

New Mexico Interstate Stream Commission:

Chris Stageman

CONCLUSION

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and based on the analysis in the EA, the Bureau of Reclamation has determined that implementing the preferred plan presented in the EA for Drain Unit 7 Priority Site on the Rio Grande, Socorro County, New Mexico, would not result in a significant impact on the human environment and does not require preparation of an environmental impact statement.

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